

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BIS ADVANCED SOFTWARE SYSTEMS, LTD.,

Plaintiff,

v.

RED BEND SOFTWARE, INC.,
RED BEND, LTD.,
TIME WARNER INC.,
ICQ, INC.
INSTALLSHIELD SOFTWARE CORP.,
and
SCANSOFT, INC.

Defendants.

Civil Action No. 04cv11960 (RWZ)

**MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF
MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND
A PROPER RULE 30(B)(6) WITNESS AND FOR SANCTIONS**

Defendants Red Bend Software, Inc., Red Bend, Ltd., ICQ, Inc., and Installshield Software Corp. (collectively “Defendants”) hereby move for leave to file a Reply to Plaintiff’s Opposition to Defendants’ Motion to Compel (“Reply”) in the form accompanying this motion.

This Reply is necessary to respond to certain arguments made by Plaintiff in opposition to Defendants’ motion to compel certain document discovery, to compel attendance at deposition by a proper Rule 30(b)(6) witness, and for sanctions. Defendants believe that their Reply will aid the Court in understanding why the relief sought through their Motion to Compel should be granted.

WHEREFORE, Defendants respectfully request that this Court grant this Motion for Leave to File Reply In Support Of Motion To Compel Production Of Documents And A Proper Rule 30(b)(6) Witness And For Sanctions.

**RED BEND SOFTWARE, INC., RED BEND,
LTD., ICQ, INC. and INSTALLSHIELD
SOFTWARE CORP.**

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Dated: November 15, 2005

Certification Pursuant To Local Rules 7.1(A)(2)

Counsel for Defendants hereby certifies that, in the morning of November 15, 2005, Defendants' Counsel, left a voice-mail message for Plaintiff's counsel, Caitlin Lhommedieu, requesting Plaintiff's assent to this motion for leave to file a reply. As of the time of filing this motion, Plaintiff's counsel had not responded to that request.

/s/ Anastais M. Fernands
Anastasia M. Fernands